IN THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF DELAWARE

V.

SYED IQBAL RAZA, M.D.,

CIVIL ACTION

Plaintiff,

NO. 06-132 (JJF)

SIEMENS MEDICAL SOLUTIONS USA, INC., SIEMENS MEDICAL SOLUTIONS HEALTH SERVICES CORP., SIEMENS CORPORATION and SIEMENS AG,

Defendants.

DEFENDANTS' MOTION FOR JUDGMENT ON THE PLEADINGS

Defendants Siemens Medical Solutions USA, Inc. and Siemens Medical Solutions Health Services Corporation, by and through their undersigned counsel, hereby move pursuant to Fed. R. Civ. P. 12(c) for judgment in their favor based upon the pleadings in this action, for the reasons set forth in the accompanying Opening Brief.

Respectfully submitted,

OF COUNSEL:

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Dated: April 28, 2008

/s/ Matthew A. Kaplan M. Duncan Grant (DE No. 2994) Larry R. Wood, Jr. (DE No. 3262) Matthew A. Kaplan (DE No. 4956) PEPPER HAMILTON LLP Hercules Plaza, Suite 5100 1313 N. Market Street P.O. Box 1709

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Attorneys for Defendants Siemens Medical Solutions USA, Inc. and Siemens Medical Solutions Health Services Corporation

CERTIFICATE OF SERVICE

I, Matthew Kaplan, hereby certify that on this 28th day of April, 2008, I caused to be served the foregoing Motion for Judgment on the Pleadings, Opening Brief, and Proposed Order, to be served with the Clerk of the Court using CM/ECF, which will send automatic notification of the filing to the following:

Adam W. Poff, Esquire Young, Conaway Stargatt & Taylor, LLP The Brandywine Building 1000 West Street, 17th Floor Wilmington, DE 19899 Attorneys for Plaintiff

/s/ Matthew A. Kaplan
Matthew A. Kaplan (DE No. 4956)

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:

Defendants.

ORDER

AND NOW, this ____ day of _____, 2008, upon consideration of Defendants

Siemens Medical Solutions USA, Inc.'s and Siemens Medical Solutions Health Services

Corporation's Motion for Judgment on the Pleadings, and Plaintiff's response thereto, it is hereby ORDERED that Defendants' Motion is GRANTED and Plaintiff's Amended Complaint is dismissed with prejudice.

UNITED STATES DISTRICT JUDGE